S.B. CIVIL WRIT PETITION NO.4834/2004.
(SMT. KALI BAI & ANR. VS. N.I.C. LTD. & ORS.)

DATE OF ORDER : 15.02.2007.

HON'BLE MR. GOVIND MATHUR, J.

Mr.Anil Bhandari for the petitioner/s.
Mr.M.S. Singhvi for the respondent/s.

The petitioners being legal heirs of late Shri Ghanshyam Maran, who died while in service of respondent no.1 on 18.12.89, claiming the reliefs as under:-

a) allow the writ petition
b) respondents may be directed to give appointment either to the petitioner no.1 or the petitioner no.2 on compassionate ground.
c) respondents may kindly be directed to release all the retiral benefits i.e. gratuity, leave encashment, G.S.L.I., personal accident etc. with 15% interest from 1.4.90 till the date of release.
d) respondents may kindly be directed to pay compensation to the petitioners for a sum of Rs.one lac.
e) Any other appropriate order which the circumstances of the case warrant, may kindly be passed in favour of the petitioners.
f) costs of writ petition may kindly be awarded to the petitioners.

It is stated by counsel for the respondents that all the reliefs claimed by the petitioners have been granted in accordance with the Regulations existing except the relief clause (b), pertaining to appointment on compassionate grounds. It is also stated that some delay occurred in payment of dues as certain administrative formalities were required to be completed.

Per contra, it is stated by counsel for the petitioner that the complete dues have not been paid so far and those are required to be determined by this Court.

Heard.

Shri Ghanshyam Maran died in the year 1989, therefore, it shall be highly improper to direct the respondents to consider candidature of the petitioners for appointment on compassionate grounds now after a period of 17 years.

The computation of amount in totality of the facts and circumstances of the present case, shall not be possible to be made by this Court, therefore, this petition for writ is disposed of with a direction to the petitioner to submit a representation to the respondents with all necessary details pertaining to their dues with the respondents. If such a representation is submitted

within a period of one month from today, the respondents shall decide the same within a period of three months thereafter. With regard to the amount already paid to the petitioner at belted stage, the respondents are directed to make the payment of the interest thereon @ 6% per annum.

(GOVIND MATHUR)J.

Anil/